

**Amendments to the claims:**

This listing of claims replaces all prior versions, and listings, of claims in the application.

**Listing of claims:**

1 (currently amended): A method of diagnosing or prognostication a neurodegenerative disease in a subject, or determining whether a subject is at increased risk of developing said disease, comprising:

determining a level and/or an activity of

(i) a transcription product of the gene coding for the voltage-gated ion channel sodium channel type 2A (SCN2A)[,] and/or

(ii) a translation product of the gene coding for the voltage-gated ion channel SCN2A and/or

(iii) ~~a fragment, or derivative, or variant of said transcription or translation product;~~

in a sample from said subject and comparing said level and/or said activity to a reference value representing a known disease or health status, thereby diagnosing or prognosticating said neurodegenerative disease in said subject, or determining whether said subject is at increased risk of developing said neurodegenerative disease.

2 (currently amended): A method of monitoring the progression of a neurodegenerative disease in a subject, comprising:

determining a level and/or an activity of

- (i) a transcription product of the gene coding for the voltage-gated ion channel SCN2A, and/or
- (ii) a translation product of the gene coding for the voltage-gated ion channel SCN2A, and/or
- (iii) ~~a fragment, or derivative, or variant of said transcription or translation product;~~

in a sample from said subject and comparing said level and/or said activity to a reference value representing a known disease or health status, thereby monitoring the progression of said neurodegenerative disease in said subject.

Claims 3 and 4 (cancelled).

5 (previously presented): The method according to claim 1 wherein said sample comprises a cell, or a tissue, or a body fluid, in particular cerebrospinal fluid or blood.

6 (currently amended): The method according to claim 1 wherein said reference value is that of a level and/or an activity of

- (i) a transcription product of the gene coding for the voltage-gated ion channel SCN2A, and/or
- (ii) a translation product of the gene coding for the voltage-gated ion channel SCN2A, and/or
- (iii) ~~a fragment, or derivative, or variant of said transcription or translation product;~~

in a sample from a subject not suffering from said neurodegenerative disease.

7 (currently amended): The method according to claim 1 wherein an alteration in the level and/or activity of a transcription product of the gene coding for the voltage-gated ion channel SCN2A and/or a translation product of the gene coding for voltage-gated ion channel SCN2A ~~and/or a fragment, or derivative, or variant thereof, in a sample cell, or tissue, or body fluid, in particular cerebrospinal fluid, from said subject relative to a reference value representing a known health status indicates a diagnosis, or prognosis, or increased risk of Alzheimer's disease in said subject.~~

8 (currently amended): The method according to claim 1 , further comprising comparing a level and/or an activity of

- (i) a transcription product of the gene coding for the voltage-gated ion channel SCN2A, and/or
- (ii) a translation product of the gene coding for the voltage-gated ion channel SCN2A, and/or
- (iii) ~~a fragment, or derivative, or variant of said transcription or translation product,~~

in a series of samples taken from said subject over a period of time.

9 (original): The method according to claim 8 wherein said subject receives a treatment prior to one or more of said sample gatherings.

10 (original): The method according to claim 9 wherein said level and/or activity is determined before and after said treatment of said subject.

11 (currently amended): A kit for diagnosing or prognosticating a neurodegenerative disease, in particular Alzheimer's disease[,] in a subject, or determining the propensity or predisposition of a subject to develop such a disease, said kit comprising:

- (a) at least one reagent which is selected from the group consisting of
  - (i) reagents that selectively detect a transcription product of the gene coding for the voltage-gated ion channel SCN2A
  - (ii) reagents that selectively detect a translation product of the gene coding for the voltage-gated ion channel SCN2A, and
- (b) an instruction for diagnosing or prognosticating a neurodegenerative disease, in particular Alzheimer's disease, or determining the propensity or predisposition of a subject to develop such a disease by
  - (i) detecting a level, or an activity, or both said level and said activity, of said transcription product and/or said translation product of the gene coding for the voltage-gated ion channel SCN2A in a sample from said subject; and
  - (ii) diagnosing or prognosticating a neurodegenerative disease, in particular Alzheimer's disease, or determining the propensity or predisposition of said subject to develop such a disease, wherein a varied level, or activity, or both said level and said activity, of said transcription product and/or said translation product compared to a reference value representing a known

health status; or a level, or activity, or both said level and said activity, of said transcription product and/or said translation product similar or equal to a reference value representing a known disease status indicates a diagnosis or prognosis of a neurodegenerative disease, in particular Alzheimer's disease, or an increased propensity or predisposition of developing such a disease.

12 (currently amended): A method of treating or preventing a neurodegenerative disease, in particular Alzheimer's disease[,] in a subject comprising administering to said subject in a therapeutically or prophylactically effective amount an agent or agents which directly or indirectly affect an activity and/or a level of (i) the gene coding for the voltage-gated ion channel SCN2A, and/or (ii) a transcription product of the gene coding for the voltage-gated ion channel SCN2A, and/or (iii) a translation product of the gene coding for the voltage-gated ion channel SCN2A, and/or (iv) a fragment, or derivative, or variant of (i) to (iii).

13 (currently amended): A modulator of an activity and/or of a level of at least one substance which is selected from the group consisting of (i) the gene coding for the voltage-gated ion channel SCN2A and/or (ii) a transcription product of the gene coding for the voltage-gated ion channel SCN2A and/or (iii) a translation product of the gene coding for the voltage-gated ion channel SCN2A, and/or (iv) a fragment, or derivative, or variant of (i) to (iii).

14 (currently amended): A pharmaceutical composition comprising a modulator according to claim 13 in combination with a pharmaceutically acceptable carrier or diluent.

15 (currently amended): A modulator of an activity and/or of a level of at least one substance which is selected from the group consisting of (i) the gene coding for the voltage-gated ion channel SCN2A, and/or (ii) a transcription product of the gene coding for the voltage-gated ion channel SCN2A, and/or (iii) a translation product of the gene coding for the voltage-gated ion channel SCN2A and/or (iv) ~~a fragment, or derivative, or variant of (i) to (iii)~~ for use in a pharmaceutical composition.

16 (currently amended): Use of a modulator of an activity and/or of a level of at least one substance which is selected from the group consisting of (i) the gene coding for the voltage-gated ion channel SCN2A, and/or (ii) a transcription product of the gene coding for the voltage-gated ion channel SCN2A, and/or (iii) a translation product of the gene coding for the voltage-gated ion channel SCN2A, and/or (iv) ~~a fragment, or derivative, or variant of (i) to (iii)~~ for a preparation of a medicament for treating ~~or preventing a neurodegenerative disease, in particular Alzheimer's disease.~~

17 (currently amended): A kit, comprising in one or more containers, a therapeutically or prophylactically effective amount of the pharmaceutical composition of claim 14.

18 (currently amended): A recombinant, non-human animal comprising a non-native gene sequence coding for the voltage-gated ion channel SCN2A ~~or a fragment, or a derivative, or a variant thereof,~~ said animal being obtainable by:

- (i) providing a gene targeting construct comprising said gene sequence and a selectable marker sequence, and
- (ii) introducing said targeting construct into a stem cell of a non-human animal, and
- (iii) introducing said non-human animal stem cell into a non-human embryo, and
- (iv) transplanting said embryo into a pseudopregnant non-human animal, and
- (v) allowing said embryo to develop to term, and
- (vi) identifying a genetically altered non-human animal whose genome comprises a modification of said gene sequence in both alleles, and
- (vii) breeding the genetically altered non-human animal of step (vi) to obtain a genetically altered non-human animal whose genome comprises a modification of said endogenous gene, wherein said disruption results in said non-human animal exhibiting a predisposition to developing symptoms of a neurodegenerative Alzheimer's disease ~~or related diseases or disorders.~~

19 (currently amended): Use of the recombinant, non-human animal according to claim 18 for screening, testing, and validating compounds, agents, and modulators in the development of diagnostics and therapeutics to treat neurodegenerative diseases, in particular Alzheimer's disease.

20 (currently amended): An assay for screening for a modulator of ~~neurodegenerative diseases, in particular Alzheimer's disease, or related diseases or disorders~~ of one or more substances selected from the group consisting of

- (i) the gene coding for the voltage-gated ion channel SCN2A, and/or
- (ii) a transcription product of the gene coding for the voltage-gated ion channel SCN2A, and/or
- (iii) a translation product of the gene coding for the voltage-gated ion channel SCN2A, and/or
- (iv) a fragment, or derivative, or variant of (i) to (iii);

said method comprising:

- (a) contacting a cell with a test compound;
- (b) measuring the activity and/or level of one or more substances recited in (i) to (iv);
- (c) measuring the activity and/or level of one or more substances recited in (i) to (iv) in a control cell not contacted with said test compound; and
- (d) comparing the levels and/or activities of the substance in the cells of step (b) and (c), wherein an alteration in the activity and/or level of substances in the contacted cells indicates that the test compound is a modulator of said diseases or disorders.

21 (currently amended): A method of screening for a modulator of ~~neurodegenerative diseases, in particular Alzheimer's disease, or related diseases or disorders~~ of one or more substances selected from the group consisting of

- (i) the gene coding for the voltage-gated ion channel SCN2A, and/or
- (ii) a transcription product of the gene coding for the voltage-gated ion channel SCN2A, and/or
- (iii) a translation product of the gene coding for the voltage-gated ion channel SCN2A, and/or
- ~~(i) a fragment, or derivative, or variant of (i) to (iii);~~

said method comprising:

- (a) administering a test compound to a test animal which is predisposed to developing or has already developed symptoms of a neurodegenerative disease or related diseases or disorders in respect of the substances Alzheimer's disease recited in (i) to (iv) (iii);
- (b) measuring the activity and/or level of one or more substances recited in (iv) (iii);
- (c) measuring the activity and/or level of one or more substances recited in (i) or (iv) in a matched control animal which is predisposed to developing or has already developed symptoms of a neurodegenerative disease or related diseases or disorders in respect to the substances recited in (i) to (iv) (iii) and to which animal no such test compound has been administered;
- (d) comparing the activity and/or level of the substance in the animals of step (b) and (c), wherein an alteration in the activity and/or level of substances in the test animal indicates that the test compound is a modulator of said diseases or disorders Alzheimer's disease.

22 (currently amended): The method according to claim 21 wherein said test animal and/or said control animal is a recombinant animal which expresses the voltage-gated ion channel SCN2A, or a fragment, or derivative, or variant thereof, under the control of a transcriptional control element which is not the native SCN2A gene transcriptional control element.

23 (currently amended): A method of testing a compound, preferably of screening a plurality of compounds, for inhibition of binding between a ligand and the voltage-gated ion channel SCN2A, or a fragment, or derivative, or variant thereof; said method comprising the steps of:

- (i) adding a liquid suspension of said voltage-gated ion channel SCN2A, or a fragment, or derivative, or variant thereof, to a plurality of containers;
- (ii) adding a compound, preferably a plurality of compounds, to be screened for said inhibition of binding to said plurality of containers;
- (iii) adding a detectable ligand, in particular a fluorescently detectable ligand, to said containers;
- (iv) incubating the liquid suspension of said voltage-gated ion channel SCN2A, or said fragment, or derivative, or variant thereof, and said compound, preferably said plurality of compounds, and said ligand;
- (v) measuring amounts of detectable ligand or fluorescence associated with said voltage-gated ion channel SCN2A, or with said fragment, or derivative, or variant thereof; and

(vi) determining the degree of inhibition by one or more of said compounds of binding of said ligand to said voltage-gated ion channel SCN2A, or said fragment, or derivative, or variant thereof.

24 (currently amended): A method of testing a compound, preferably of screening a plurality of compounds, to determine the degree of binding of said compound or compounds to the voltage-gated ion channel SCN2A, or to a fragment, or derivative, or variant thereof, said method comprising the steps of:

- (i) adding a liquid suspension of said voltage-gated ion channel SCN2A, or a fragment, or derivative, or variant thereof, to a plurality of containers;
- (ii) adding a detectable compound, preferably a plurality of detectable compounds, in particular fluorescently detectable compounds, to be screened for said binding to said plurality of containers;
- (iii) incubating the liquid suspension of said voltage-gated ion channel SCN2A, or said fragment, or derivative, or variant thereof, and said compound, preferably said plurality of compounds;
- (iv) measuring amounts of detectable compound or fluorescence associated with said voltage-gated ion channel SCN2A, or with said fragment, or derivative, or variant thereof; and

(v) determining the degree of binding by one or more of said compounds to said voltage-gated ion channel SCN2A, or said fragment, or derivative, or variant thereof.

25 (currently amended): A method for producing a medicament comprising the steps of (i) identifying a modulator of neurodegenerative diseases, in particular Alzheimer's disease[,] by a method according to claim 20 and (ii) admixing the modulator with a pharmaceutical carrier.

26 (original): A method for producing a medicament comprising the steps of (i) identifying a compound as an inhibitor of binding between a ligand and the SCN2A gene product by a method according to claim 23 and (ii) admixing the compound with a pharmaceutical carrier.

27 (original): A method for producing a medicament comprising the steps of (i) identifying a compound as a binder to a SCN2A gene product by a method according to claim 24 and (ii) admixing the compound with a pharmaceutical carrier.

28 (previously presented): A medicament obtainable by the method according to claim 25.

29 (previously presented): A medicament obtained by the method according to claim 25.

30 (currently amended): A protein molecule, said protein molecule being a translation product of the gene coding for the voltage-gated ion channel SCN2A, or a fragment, or derivative, or variant thereof, for use as a diagnostic target for detecting a neurodegenerative disease, preferably Alzheimer's disease.

31 (currently amended): A protein molecule, said protein molecule being a translation product of the gene coding for the voltage-gated ion channel SCN2A, or a fragment, or derivative, or variant thereof, for use as a screening target for reagents or compounds preventing, or treating, or ameliorating a neurodegenerative disease, preferably Alzheimer's disease.

32 (currently amended): Use of an antibody specifically immunoreactive with an immunogen, wherein said immunogen is a translation product of the gene coding for the voltage-gated ion channel SCN2A, or a fragment, or derivative, or variant thereof, for detecting the pathological state of a cell in a sample from a subject, comprising immunocytochemical staining of said cell with said antibody, wherein an altered degree of staining, or an altered staining pattern in said cell compared to a cell representing a known health status indicates a pathological state of said cell.